

Lawyers Say F.B.I. Eavesdropped on Riot Suspects

By SIDNEY E. ZION

The Federal Bureau of Investigation was accused yesterday of eavesdropping on a conference in the United States Courthouse in Chicago between lawyers and eight defendants under indictment for conspiracy to incite a riot at the Democratic National Convention in August.

The charges were made by Gerald B. Lefcourt and Leonard I. Weinglass, attorneys for some of the defendants. Mr. Lefcourt said in an interview that he had "caught" an F.B.I. agent, David Hill, trying to "get away" from the conference room with a transmitter in his hand.

Mr. Hill denied yesterday that he had eavesdropped on the lawyer-client conference but conceded that he had been outside the 15th floor office with a radio transmitter.

"I had no tap equipment," Mr. Hill said. "It was just a radio that I used to let my office know where the demonstrators were."

Mr. Hill said he could make no further comment on the incident.

Mr. Lefcourt and Mr. Weinglass said that a motion would be filed in Chicago Federal Court today charging the F.B.I. with eavesdropping and demanding that a "cease and desist" order be issued against "all further bugging, wiretapping and surveillance."

The lawyers added that they would ask United States Attorney Thomas Foran to press criminal charges "against any and all F.B.I. agents involved."

But Mr. Foran said he did not consider the charges to be serious.

"The agent had no eavesdropping equipment," he said in a telephone interview

yesterday. "The agent was charged by his superiors with following the defendants wherever they went in the building. He had a recording device to our office. It was a regular transmitter radio with a hand mike and nothing more."

Mr. Foran said that there were "demonstrators all over the building" and thus F.B.I. agents were "checking on their whereabouts."

Lawyer Disputes Report

Mr. Foran said he had called Mr. Hill into his office when Mr. Lefcourt and other lawyers complained about the incident.

"I offered to turn over the equipment to them and I showed them that it had no eavesdropping devices. In fact, when Kunstler [William B. Kunstler, another attorney for the defense] saw it he said 'Oh, forget it.'"

But Mr. Kunstler denied this yesterday. "I never said anything like that," the lawyer asserted. "In fact, I was coming out of the conference room when the whole thing happened and I never was anybody looking as guilty as that agent when he was trying to duck around the corridor corner."

Mr. Kunstler said that he and all the other lawyers for the eight defendants were joining in the motion to be filed today.

Mr. Weinglass challenged the assertion that the equipment was merely a device to report on the whereabouts of the defendants. He said that agents with walkie-talkies were "all over the place, following us all day" but that Mr. Hill's device was "much bigger and much different than all the others we saw."

According to Mr. Lefcourt, Mr. Weinglass and Mr. Kunstler, the lawyers and clients were in a

conference room some 100 feet from the United States Attorney's office discussing travel restrictions on the defendants proposed by the Government, as well as other defense matters.

After about 20 minutes, the lawyers said, the meeting broke up and Tom Hayden, one of the defendants, walked out the door followed by Mr. Lefcourt and Mr. Kunstler. When they spotted Mr. Hill they asked him for his name and he allegedly refused to give it. Another F.B.I. agent then appeared and reportedly told Mr. Hill that he did not have to say anything.

The lawyers then went into Mr. Foran's office and described

the incident, with Mr. Lefcourt shouting angrily that the F.B.I. had eavesdropped on the room.

Mr. Lefcourt said that the United States Attorney appeared surprised at the incident and that Mr. Hill later came into the office and explained that he had not been eavesdropping. "I called him a liar to his face," Mr. Lefcourt said, "and I say it again."

The defendants, who are also charged with crossing state lines to foment disorder or to otherwise violate the Civil Rights Act of 1968, will also join in the motion today. The defendants are Rennie C. (Rennie) Davis, Bobby G. Seale,

in Chicago

John R. Froines, Lee Weiner, David T. Dellinger, Hayden, Jerry C. Rubin and Abbott H. (Abbie) Hoffman.

Travel Restrictions Lifted

CHICAGO, April 10 (UPI)—The Government reversed its position today and agreed to lift travel restrictions on the eight defendants.

United States District Judge Julius J. Hoffman signed the Government order. It allows the defendants to travel within the continental limits of the United States and Puerto Rico on condition they report their itineraries to the United States Attorney.